

Posted - August 12, 2004

REGULAR MEETING AUGUST 16, 2004

TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND

The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Monday, August 16, 2004 at 6:00 P.M. at the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island.

Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.

EXECUTIVE SESSION (6:00 P.M.)

Pursuant to the provisions of Sections 42-46-2., 42-46-4. and 42-46-5. (a) (2) (5), RIGL, the Council will meet in executive session to consider, discuss and act upon matters related to collective bargaining (Fire contract), litigation (Schwemin) and land acquisition.

ACTING AS A BOARD OF LICENSE COMMISSION

1. Application of S.C.S.JR., dba Scotty's Big Dog's Sports Pub, 823 West Main Road, Middletown, for a Retailer's Class BV Alcoholic Beverage License for use at the same premises. (Requires Advertising for Public Hearing and Notice to Abutters)

CONSENT CALENDAR

1. Approval of Minutes - Regular Meeting, March 1, 2004.

2. Approval of Minutes - Special Meeting, March 8, 2004.

3. Approval of Minutes - Regular Meeting, March 15, 2004.

4. Approval of Minutes - Special Meeting, March 31, 2004.

5. Communication of Bruce D. Allen, re: Formal resignation from Middletown Town Council.

6. Memorandum of Finance Director, with enclosures, re: Financial statements and Tax Collector's report for period ending June 30, 2004.

7. Communication of John Ricottilli, Jr., Major General (Ret) and Reginald A. Centracchio, Major General, Adjutant General, with enclosures, re: Employer support for National Guard and Reservists.

8. Communication of Charles A. Horbert, Permitting Supervisor, Freshwater Wetlands Program, Office of Water Resources, RI Dept. of Environmental Management, Inc., re: Freshwater wetlands preliminary determination for site identified as Lot 18, TAP 105 and located southwest of Greene Lane/West Main Road intersection.

9. Town of Jamestown, Resolution of the Council, re: Opposition to construction of LNG terminal in Fall River, MA.

10. Communication of Ronald J. Santa, 277 Turner Road, re: Assessment of corner lots on sewer/water construction projects.

11. Communication of Mary McGeary, 475 Turner Road, re: Water installation assessment.

TOWN COUNCIL

1. Applications of KRISJIM PIZZA COMPANY, dba Pizza Hollywood, 796 Aquidneck Avenue, for a Victualling House License for the 2003-2004 licensing year. (New Location)

2. Application of Island Bean Cafe & Deli, Inc., 567 East Main Road, for a Victualling House License for the 2003-2004 licensing year. (NEW)

3. Communication of Gunther Hausen, International Service,

Middletown Rotary, re: Rotary fundraiser "Legs 'N Wheels".

4. Communication of Michele Stern, 1355 Green End Avenue, re: Status of Demery Memorial Park property.

5. Memorandum of Town Planner, with enclosures, re: Impact Fee Ordinance.

6. An Ordinance of the Town of Middletown (Second Reading)

An ordinance in amendment to the Town Code of the Town of Middletown, Title XVI, Planning and Development, Chapter 160, Development Impact Fees, as amended.

7. Memorandum of Town Planner, with enclosures, re: Middletown Comprehensive Community Plan 5-Year Update.

8. Memorandum of Town Planner, with enclosures, re: Proposed amendments to the Middletown Comprehensive Community Plan, Industrial Land Use - West Main Road (Plat 111, Lots 8, 9, 9A, 10). (Requires Advertising for Public Hearing)

9. Memorandum of Town Planner, with enclosures, re: Proposed amendments to the Middletown Zoning Ordinance - Light Industrial Districts. (Requires Advertising for Public Hearing)

10. Petition of Craig A. Paris, by his attorney Gregory B. Klaiber, Esquire, proposing to amend the Zoning Code of the Town of Middletown, by changing the classification of Lots 39 and 40, TAP 108SW from Traffic Sensitive High Density Residential (R-10A) to Traffic Sensitive General Business (GBA). (Requires Advertising for Public Hearing, Notice to Abutters and Planning Board Recommendation)

11. Memorandum of Human Resources Manager, with enclosures, re: Town Discipline Policy.

12. Resolution of the Council, re: Adoption of Town of Middletown Progressive Discipline Policy.

13. An Ordinance of the Town of Middletown (Second Reading)

An ordinance in amendment to the Zoning Ordinance of the Town of Middletown, Article 4 Definitions, No. 12, Building Height, and Article 6, Application of District Regulations, Section 603, District Dimensional Regulations.

14. An Ordinance of the Town of Middletown (Second Reading)

An ordinance in amendment to the Zoning Ordinance of the Town of Middletown, Article 12 Signs, Section 1204, Design Standards for Specific Types of Signs, Sub-section F, Freestanding Signs in Traffic Sensitive Districts.

15. An Ordinance of the Town of Middletown (Second Reading)

An ordinance in amendment to the Zoning Ordinance of the Town of Middletown, Article 7 Supplementary Regulations, Section 715 (A), Drainage.

16. An Ordinance of the Town of Middletown (Second Reading)

An ordinance in amendment to the Town Code of the Town of Middletown, Title III, Administration, Chapter 36, Fee Schedule, Section (35) Collection Station Fees and Bulky Waste Pickup.

17. An Ordinance of the Town of Middletown (First Reading)

An ordinance in amendment to the Town Code of the Town of Middletown, Title III, Administration, Chapter 36, Fee Schedule, Section (48) Hazardous Materials Response Fee.

18. An Ordinance of the Town of Middletown (First Reading)

An ordinance in amendment to the Town Code of the Town of Middletown, Title XI, Business Regulations, Chapter 110, General Provisions, Section 110.01, Issuance and Renewal of Town Licenses and Permits.

19. Memorandum of Finance Director, with enclosures, re: Water Construction District 11 - Turner Road.

20. Resolution of the Council, re: Authorizing amendment to Special Water Construction Assessment.

21. Memorandum of Finance Director, re: Sewer Construction District 11 - Turner Road.

22. Memorandum of Finance Director, with enclosures, re: Summary of bids, Turner Road roads and drainage project.

23. Resolution of the Council, re: Award of contract for Turner Road roads and drainage project.

24. Memorandum of Public Works Director, with enclosure, re: DPW washrack.

25. Resolution of the Council, re: Approving FY 2004 General Fund budget transfers.

26. Resolution of the Council, re: Approving Parks & Recreation Fund budget transfers for FY 2004.

27. Resolution of the Council, re: Approving Sewer Fund budget transfers for FY 2004.

28. Resolution of the Council, re: Approving School Restricted Fund budget transfers, FY 2004.

29. Town Administrator Report, re: Council Chambers sound/recording system.

30. Petitions (2) received from Verizon and Narragansett Electric for utility installations as follows:

1) Proposed excavation to place conduit - Shore Drive

2) Relocation of pole - Shore Drive

(Roads/Utilities Committee Recommendations Attached)

PUBLIC FORUM SESSION

Pursuant to Rule 23 of the Rules of the Council, Citizens may address the Town Council on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting.

Barbara L. Nash, CMC

Town Clerk

This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired should notify the Town Clerk's Office not less than 48 hours before the meeting.